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PATENT

<u>REMARKS</u>

Claims 7, 11, and 13 have been cancelled.

Claims 9 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,522,075 ("Robinson").

The examiner argues that Robinson describes all of the limitations of claim 9, including, in lines 20-53 of column 12, determining that the attempt of the guest software would succeed if the guest software was running outside said processor mode.

The examiner argues:

> ... *the system described by Robinson identifies attempts to perform restricted actions and then determines whether these restricted actions would succeed in causing damage of the system were running in a mode without virtualization traps by comparing the attempted restricted action to stored restricted actions known to cause damage.*

The examiner cites column 12, lines 50-60 of Robinson to support this argument. However, the cited portion of Robinson reads:

> *As noted above, in the present invention sensitive instructions are those that can be executed only by the VMM. Thus, if a VM attempts to execute such an instruction, it traps to the VMM. This may be done through the use of the VM-bit. Whenever the processor attempts to execute a sensitive instruction, it first checks to determine if the VM-bit is set. If the VM-bit is set (i.e., if the processor is running in the VM mode) then the system traps to a process in the VMM where the VMM can emulate the requested sensitive instruction. Emulation routines for the VMM are generally known in the art and will not further be discussed.*

Contrary to the examiner's argument, Robinson does not describe comparing an attempted restricted action to stored restricted actions known to cause damage.

Therefore, even if comparing an attempted restricted action to stored restricted actions were the same as determining that an attempt of the guest software would succeed if the guest software was running outside said processor mode, and even if Robinson

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disclosed all of the other limitations of claim 9, both of which the applicants reserve the right to traverse, Robinson still would not anticipate claim 9.

Therefore, the applicants respectfully request the withdrawal of the rejection of claim 9.

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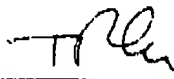42390P9770   PATENT

CONCLUSION

Based on the foregoing, the applicants respectfully submit that the rejection of claim 9 has been overcome, and that claim 9 is in condition for allowance. The applicant therefore respectfully requests the issuance of a Notice of Allowance. Please charge any necessary fees to our Deposit Account No. 50-0221.

Respectfully submitted,

Date: October 23, 2005

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